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15 Attorneys for Defendants
System General Corporation - Taiwan
16 and System General USA
aka System-General Corporation

17 UNITED STATES DISTRICT COURT
18
19 NORTHERN DISTRICT OF CALIFORNIA
20
21 SAN FRANCISCO DIVISION

22 POWER INTEGRATIONS, INC., a Delaware
corporation,

23 Plaintiff,

24 v.

25 SYSTEM GENERAL CORPORATION, a
Taiwanese corporation, and SYSTEM GENERAL
26 USA, a California corporation,

27 Defendants.
28

CASE NO. C 04 2581 JSW

**DEFENDANT SYSTEM GENERAL
CORPORATION - TAIWAN'S
MOTION FOR ADMINISTRATIVE
RELIEF**

AND ORDER DENYING REQUEST

ADMINISTRATIVE MOTION

Defendant System General Corporation (“SG-Taiwan”) requests a three week continuance of the Case Management Conference (currently scheduled on May 20, 2005), and a three week stay of the proceedings in this matter because of the complaint Plaintiff Power Integrations (PI) filed in the International Trade Commission (“ITC”). Although the ITC has some discretion whether to institute an investigation based on a complaint, neither side doubts that the ITC will so act.

The ITC complaint will then result in the institution of an ITC proceeding no later than June 9, 2005. Once the ITC proceeding is initiated, SG-Taiwan is entitled to a mandatory stay of the current action pursuant to 28 U.S.C. § 1659. This week, it advised PI that it will seek such a stay.

SG-Taiwan seeks this three-week stay of proceedings and continuance to avoid wasting this Court’s time and expending additional efforts on a matter that will be stayed. The three weeks are proposed so that the Section 1659 formal request for stay will be ripe, and so that the parties and the Court need not waste time on activities scheduled before the ITC institutes the formal proceedings. Because the ITC proceedings typically take at least a year, there will be no activity in this case for that time, and any efforts will have no effect.

PI notified SG-Taiwan on May 18, 2005 it would not be willing to stipulate to a stay or a continuance of the CMC because of the possibility, however low, that the ITC will not institute the proceeding. For this reason, SG-Taiwan has proposed a short three-week stay and continuance of the CMC. By that time, the proceeding should be instituted, and SG-Taiwan will have filed the mandatory request to stay. If the ITC does not institute the proceeding, PI will not have suffered prejudice.

SUPPORTING DECLARATION OF SCOTT R. MOSKO

I, Scott R. Mosko, declare as follows:

1. I am an attorney admitted to practice in the State of California and the United States District Court for the Northern District of California, and a member of Finnegan, Henderson, Farabow, Garrett & Dunner LLP, attorneys of record for Defendant System General Corporation - Taiwan in the above-identified matter. The matters referred to in this declaration are based on my

1 personal knowledge and if called as a witness I could, and would, testify competently to those
2 matters.

3 2. On May 17, 2005, I suggested to Power Integrations counsel that all activity in this
4 case be stayed because SG-Taiwan would exercise its rights to stay it as a result of Power
5 Integrations filing of the ITC complaint which involves the same patents and accused products as the
6 current action. I submitted a proposed stipulation to Power Integrations consistent with my proposal.
7 On May 18, 2005, Howard Pollack, who represents Power Integrations advised that it would not
8 agree to my proposed stipulation. Mr. Pollack and I telephoned the court that afternoon.

9 3. This morning, I received a call from the court's clerk indicating that my proposal
10 should be submitted in writing.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct.

13 Dated: May 19, 2005

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

15 By: /s/
16 Scott R. Mosko
17 Attorneys for Defendant
18 System General Corporation - Taiwan

19 ~~PROPOSED~~ ORDER

20 ~~Upon good cause shown, IT IS HEREBY ORDERED that the Case Management Conference~~
21 ~~currently scheduled for May 20, 2005 shall be continued to June 10, 2005. IT IS FURTHER~~
22 ~~ORDERED that all proceedings in this case are temporarily stayed pending SG-Taiwan's anticipated~~
23 ~~Request for Stay pursuant to 28 U.S.C. § 1659.~~

Defendant's request is DENIED. The
parties shall appear for the case
management conference.

25 DATED: May 19, 2005

27 /s/ Jeffrey S. White
28 Jeffrey S. White
United States District Judge